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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,583	07/06/2001	Charles William Norman	1226a	5290

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EXAMINER

NGUYEN, STEVEN H D

ART UNIT PAPER NUMBER

2665

DATE MAILED: 02/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,583

Applicant(s)

NORMAN, CHARLES WILLIAM

Examiner

Steven HD Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/12/03 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 41-42 and 44-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Furuta (USP 5600648).

Regarding claims 41 and 44, Furuta discloses a system and method of operating a Synchronous Digital Hierarchy (SDH) system, the method comprising receiving a first SDH signal into a first adaptor assembly (Fig 19, Ref 30a for receiving SDH signal), wherein the first SDH signal has regenerator section overhead information, multiplexer section overhead information, and a payload; in the first adaptor assembly, terminating the regenerator section overhead information and the multiplexer section overhead information in the first SDH signal;

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transferring the terminated regenerator section overhead information, the terminated multiplexer section overhead information, and the payload from the first adaptor assembly (Fig 18-19, the ref 30a of fig 19 receives the STM-4 signal and disassembles the STM-4 signal for transmitting to the interface 30c; See Fig 12, the TOHs and payloads extract "terminated" from the STM-4) ; receiving the terminated regenerator section overhead information, the terminated multiplexer section overhead information, and the payload into a second adaptor assembly; in the second adaptor assembly (Fig 19, Ref 30c), generating a second SDH signal having the terminated regenerator section overhead information, the terminated multiplexer section overhead information, and the payload; and transferring the second SDH signal from the second adaptor assembly (Fig 19, the ref 30c of fig 19 receives the TOH and payload and generate a second SDH signal STM-1 for transmitting).

Regarding claims 42 and 45, Furuka discloses transferring the terminated regenerator section overhead information and the terminated multiplexer section overhead information comprises adding the terminated regenerator section overhead information and the terminated multiplexer section overhead information to unused space in a transport overhead of a third SDH signal (Fig 12 wherein inserting the extracted TOH and payload into another STM-1 signal).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 35-37, 38-40, 43 and 46 rejected under 35 U.S.C. 103(a) as being unpatentable over Furuka in view of Jahromi (USP 5416768).

Regarding claims 43 and 46, Furuka does not disclose the first and second carrier network. However, in the same field of endeavor, Jahromi discloses a system and method for receiving the first SDH signal comprises receiving the first SDH signal from a first carrier network into a second carrier network, and wherein transferring the second SDH signal comprises transferring the second SDH signal from the second carrier network to the first carrier network (Fig 13 wherein the STM-4 signal is drop into a second carrier as STM-1 and insert STM-1 signal into STM-4 signal).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply an interface between the first and second carrier as disclosed by Jahromi into Furuka's system. The motivation would have been to route the frame between the low speed carrier and high-speed carrier.

Regarding claims 35-36 and 38-39, Furuka discloses all the limitation of the claimed excepting for SONET signal. However, SONET and SDH are almost the same. Therefore, it would have been obvious to one of ordinary skill in the art the time of invention was made to apply the SONET signal into a teaching of Furuka because SONET signal is well known and expected in the art.

Regarding claims 37 and 40, these claims are similar to claimed 43 and 46 excepting of SONET signal. These claims are rejected under similar rationale of claimed 43 and 46. However, SONET and SDH are almost the same. Therefore, it would have been obvious to one of ordinary

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skill in the art the time of invention was made to apply the SONET signal into a teaching of Furuka because SONET signal is well known and expected in the art.

Response to Arguments

6. Applicant's arguments filed 12/12/2003 have been fully considered but they are not persuasive.

In response to pages 6-9, the applicant states that Furuta does not disclose a method and system for inserting the terminated SOH/RSOH information, MSOH/LOH information from a first adapter to second adapter for generating a SONET/SDH signal. In reply, Furuka discloses in figure 12 and 19, wherein the SOH and LOH is extracted from STM-4 at the first adapter "STM-4 adapter" and transmitting to the second adapter for generating a second SDH signal "STM-1" for transmitting via STM-1 network or extracting the terminated SOH/RSOH information, MSOH/LOH information from a second adapter to first adapter for generating a SONET/SDH signal in STM-4 wherein STM signal is generated by inserting these information such SOH/RSOH information, MSOH/LOH information, POH and payload.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

A handwritten signature in black ink, appearing to be 'SHN' with a long horizontal stroke extending to the right.

Steven HD Nguyen
Primary Examiner
Art Unit 2665
2/17/04